

DEC 1 6 2003

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number

226310US6RE

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in the below identified patent:

Patent Number

5,822,319

Date Patent Issued

OCTOBER 13, 1998

Title of Invention

ROUTER DEVICE AND DATAGRAM TRANSFER METHOD FOR DATA COMMUNICATION NETWORK SYSTEM

for which a reissue patent is sought on the invention entitled:

ROUTER DEVICE AND DATAGRAM TRANSFER METHOD FOR DATA COMMUNICATION NETWORK SYSTEM

the specification of which

☒ is attached hereto

☐ was filed on _____ as reissue application number _____

☐ and (if applicable) was amended on _____

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

We (I) hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s):

<u>Application No.</u>	<u>Country</u>	<u>Day/Month/Year</u>	<u>Priority Claimed</u>
7-120150	JAPAN	18/5/1995	YES
8-009405	JAPAN	23/1/1996	YES

We (I) hereby claim the benefit under 35 USC §119(e) of any United States *provisional* application(s) listed below.

Application Number

Filing Date

We (I) hereby claim the benefit under 35 USC §120 of any United States application(s), or §365 of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.

Filing Date

Status

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all that apply)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

failing to claim the subject matter defined in new Claim 39, e.g. the recited router device having "network interfaces connected with at least one virtual connection oriented network and at least one non-virtual connection oriented network."

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

Reissue Application Declaration by the Inventor (Continued)



As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith:



22850

Correspondence Address:
OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia 22202.

Telephone: (703) 413-3000

Facsimile: (703) 413-2220

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full Name of sole or first inventor (given name, family name)

KENICHI NAGAMI

Signature *K. Nagami*

Date *Nov 4, 2003*

Residence
Chiba-ken, Japan

Citizenship
Japan

Post Office Address c/o Intellectual Property Division, Toshiba Corporation, 1-1-1, Shibaura Minato-ku, Tokyo, Japan

Full Name of second joint inventor (given name, family name)

YASUHIRO KATSUBE

Signature *Y. Katsube*

Date *11/3/2003*

Residence
Kanagawa-ken, Japan

Citizenship
Japan

Post Office Address c/o Intellectual Property Division, Toshiba Corporation, 1-1-1, Shibaura Minato-ku, Tokyo, Japan

Full Name of third joint inventor (given name, family name)

Signature

Date

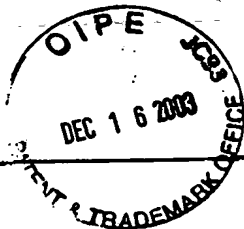
Residence

Citizenship

Post Office Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

(OSMIN 03/02)



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: KABUSHIKI KAISHA TOSHIBA

Application No./Patent No.: 5,822,319 Filed/Issue Date: OCTOBER 13, 1998

Entitled: ROUTER DEVICE AND DATAGRAM TRANSFER METHOD FOR DATA COMMUNICATION NETWORK SYSTEM

Kabushiki Kaisha Toshiba, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, government agency, etc.)

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013506, Frame 0124

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

November 11, 2003
Date

Mr. Taisuke Kato
Typed or printed name

[Signature]
Signature

General Manager/Intellectual Property Division
Title

REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number 226310US6RE	DEC 1 6 2003
<p>This is part of the application for a reissue patent based on the original patent identified below.</p>			
Name of Patentee(s) Kenichi NAGAMI, et al.			
Patent Number 5,822,319	Date Patent Issued OCTOBER 13, 1998		
Title of Invention ROUTER DEVICE AND DATAGRAM TRANSFER METHOD FOR DATA COMMUNICATION NETWORK SYSTEM			
<p>One box must be checked</p> <p><input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b).</p> <p><input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>The written consent of all assignees owning an undivided interest in the original patent is included in this application for reissue.</p>			
Signature		Date	
Typed or printed name of person signing for assignee			
The assignee(s) owning an undivided interest in said original patent is/are: <u>Kabushiki Kaisha Toshiba</u> and the assignee(s) consents to the accompanying application for reissue.			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Name of assignee/inventor (if not assigned) KABUSHIKI KAISHA TOSHIBA			
Signature of person signing for assignee		Date December 1, 2003	
Typed or printed name of person signing for assignee (if assigned) Taisuke KATO, General Manager, Intellectual Property Division			

226310US-6RE



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :ATTN: APPLICATIONS PROCESSING
DIVISION

KENICHI NAGAMI, ET AL. : EXAMINER:

SERIAL NO.: 10/629,735 :

FILED: JULY 30, 2003 : GROUP ART UNIT: 2664

FOR: ROUTER DEVICE AND DATAGRAM
TRANSFER ...

FILING OF DECLARATION UNDER 37 C.F.R. § 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

Responsive to the notification dated September 16, 2003, and in accordance with the provisions of 37 C.F.R. § 1.53(f), Applicants submit herewith a Reissue Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the following information:

Name(s) of Inventors

Title of Invention

Attorney Docket Number

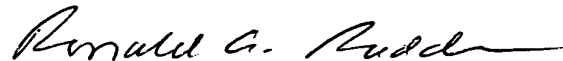
thereby adequately identifying the above-identified application in accordance with 37 C.F.R. 1.63, as required by 37 C.F.R. 1.175.

Reply to Notice to File Missing Parts of Reissue Application dated 9/16/2003
Application No. 10/629,735

In light of the foregoing, this application is deemed to be in proper condition for
examination and such favorable action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Surinder Sachar
Registration No. 34,423
Ronald A. Rudder, Ph.D.
Registration No. 45,618

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